

Docket No. 1417G P 435 (95791.1)  
Baxter Ref. EIP-5569

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s): TUAN BUI, et al. )  
 )  
Serial No: 09/248,492 ) Group Art 3763  
 ) Unit:  
 )  
Filed: February 10, 1999 ) Examiner: J. Yasko  
 )  
Entitled: METHOD AND APPARATUS FOR )  
AUTOMATICALLY CONTROLLING )  
THE LEVEL OF MEDICATION )

**CERTIFICATE UNDER 37 C.F.R. § 3.73(b)**  
**ESTABLISHING RIGHT OF ASSIGNEE TO TAKE ACTION**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:


The Assignee of the entire right, title and interest hereby seeks to take action in the U.S. Patent  
and Trademark Office in this matter.

**Identification of Assignee**

BAXTER HEALTHCARE CORPORATION  
Name of Assignee

Corporation  
Type of assignee, e.g., corporation, partnership, university, government agency, etc.

**Person Authorized to Sign**

Jan Stern Reed   
Name  
Secretary  
Title of person authorized to sign

Docket No. 1417G P 435 (95791.1)  
Baxter Ref. EIP-5569

PATENT

I, the person signing below, aver that I am empowered to sign this statement on behalf of the Assignee.

### Basis of Assignee's Interest

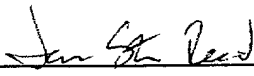

Ownership by the Assignee is established as follows:

An assignment, copy attached, was submitted for recording in the U.S. Patent & Trademark Office on February 4, 2000.

### Declarations

I, the undersigned, have reviewed all the documents in the chain of title of the patent Application matter identified above and, to the best of my knowledge and belief, title is in the Assignee identified above.

I, hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

 4/12/00  
Name Jan Stern Reed 

Secretary  
Title of person authorized to sign

Docket No. 1417G P 435 (95778.1)  
Baxter Ref. EIP-5569

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s):	TUAN BUI, et al.	)	
		)	
Serial No:	09/248,492	)	Group Art Unit: 3763
		)	
Filed:	February 10, 1999	)	Examiner: J. Yasko
		)	
Entitled:	METHOD AND APPARATUS FOR AUTOMATICALLY CONTROLLING THE LEVEL OF MEDICATION	)	

**POWER OF ATTORNEY BY ASSIGNEE OF ENTIRE INTEREST  
(REVOCATION OF PRIOR POWERS)**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

As Assignee of record of the entire interest of the above-identified Application, all Powers  
Of Attorney previously given are hereby revoked and the following attorneys are hereby appointed  
to prosecute and transact all business in the Patent and Trademark Office connected therewith.

Robert E. Wagner	20,528	Richard C. Himelhoch	35,544
Daniel N. Christus	29,626	Monique A. Morneault	37,893
Alan L. Barry	30,819	Jeffrey R. Gargano	38,148
Linda A. Kuczma	30,861	Paul J. Nykaza	38,984
Roger H. Stein	31,882	Edward Bishop	39,110
Thomas K. Stine	32,310	James P. Muraff	39,785
James J. Jagoda	33,250	Nelson Nolte	42,938
Micheal D. Lake	33,727	William J. Lenz	44,208
Joseph A. Fuchs	34,604	Matthew J. Gryzlo	43,648
Robert W. Diehl	35,118	Peter M. Klobuchar	43,772
Bradley F. Rademaker	35,331	Brent A. Hawkins	44,146
Francis C. Kowalik	34,646	Michael K. Nutter	44,979
Mark J. Buonaiuto	31,593	Joseph M. Kinsella, Jr.	45,743
Charles R. Mattenson	30,660	Paula J. Kelly	37,624

Docket No. 1417G P 435 (95778.1)  
Baxter Ref. EIP-5569

PATENT

Send correspondence and direct telephone calls to:

Francis C. Kowalik, Esq.  
Corporate Counsel, Law Department  
Baxter International Inc.  
One Baxter Parkway, DF2-2E  
Deerfield, IL 60015  
(847) 948-3041  
(847) 948-3393 (Facsimile)

Ownership by the Assignee is established as follows:

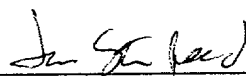
An assignment, copy attached, was submitted for recording in the U.S. Patent & Trademark Office on February 4, 2000.

### ASSIGNEE CERTIFICATION

Attached to this Power is a "Certificate Under 37 C.F.R. § 3.73(b)."

BAXTER HEALTHCARE CORPORATION

Date: 4/12/00

  
Name: Jan Stern Reed *Penick*  
Secretary

**DECLARATION  
FOR UTILITY OR DESIGN  
PATENT APPLICATION**

Declaration      X Declaration  
Submitted       Submitted  
With            After  
Initial         Initial  
Filing          Filing

) Attorney Docket No.: 64040  
)  
) First Named Inventor: BUI et al.  
)  
)  
) Application Number: 09/248,492  
) Filing Date: February 10, 1999  
) Group Art Unit: 3734  
)  
) Examiner Name: Not yet assigned

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**METHOD AND APPARATUS FOR AUTOMATICALLY CONTROLLING  
THE LEVEL OF MEDICATION**

(Title of Invention)

the specification of which:

( ) is attached hereto, or

(X) was filed by an authorized person on my behalf on February 10,  
1999

as United States Application Number 09/248,492  
or PCT International Application Number \_\_\_\_\_  
and was amended on \_\_\_\_\_ (if applicable).  
(Date)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119(a)-(d) or §365(b) of any foreign application(s) for patent or inventor's certificate, or §365(a) of any PCT international application which designated at least one country other than the United States of America, listed below, and I have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or any PCT international application, on this invention filed by me or my legal representatives or assigns and having a filing date before that of the

application on which priority is claimed:

Prior Foreign Application Number(s)	Country	Foreign Filing Date	Priority Not Claimed	Certified Copy Attached	
				Yes	No
None			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐ Additional foreign application numbers are listed on a supplemental priority data sheet attached hereto.

I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional application(s) listed below:

Provisional Application Number(s)	Provisional Application Filing Date
None	

☐ Additional provisional application numbers are listed on a supplemental priority data sheet attached hereto.

I hereby claim the benefit under Title 35, United States Code, §120, of any prior United States application(s), or under §365(c) of any PCT international application(s) designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application(s) in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose all information known by me to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56, which became available between the filing date of the prior application(s) and the national or PCT international filing date of this application:

Prior U.S. Application Number	Prior PCT International Application Number	Filing Date of U.S. or PCT International Application	Patent Number (if applicable)
None			

☐ Additional U.S. or PCT international application numbers are listed on a supplemental priority data sheet attached hereto.

As a named inventor, I hereby appoint the following registered practitioners, with full power of substitution and revocation, to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith, and request that all correspondence and telephone calls in respect to this application be directed to FITCH, EVEN, TABIN & FLANNERY, Suite 1600, 120 South LaSalle Street Chicago, Illinois, 60603-3406, Telephone No. (312) 577-7000, Facsimile No. (312) 577-7007:

<u>Registered Practitioner</u>	<u>Registration Number</u>	<u>Registered Practitioner</u>	<u>Registration Number</u>
Morgan L. Fitch, Jr.	17,023	Mark W. Hetzler	38,183
Francis A. Even	16,880	Timothy P. Maloney	38,233
Julius Tabin	16,754	Thomas F. Lebens	38,221
John F. Flannery	19,759	Donald A. Peterson	18,647
Robert B. Jones	20,135	James R. McBride	24,275
James J. Schumann	20,856	Bruce R. Mansfield	29,086
James J. Hamill	19,958	Jeannette M. Walder	30,698
Timothy E. Levstik	30,192	Mark A. Hamill	37,145
Joseph E. Shipley	31,137	Perry J. Hoffman	37,150
Robert J. Fox	27,635	James P. Krueger	35,234
Kenneth H. Samples	25,747	Steven S. Favakeh	36,798
Philip T. Petti	31,651	Jay A. Saltzman	38,293
John S. Paniaguas	31,051		
Richard A. Kaba	30,562		
Karl R. Fink	34,161		

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made herein on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity or enforceability of the application or any patent issued thereon.

Full name of sole or one joint inventor:

Tuan Bui

(Given names first, with Family name last)

Inventor's signature:

Tuan Bui

Date:

5/17/99

Residence:

Green Oaks, Illinois

(City and State for U.S. Residents;  
City and Country for others)

Post Office Address:

14436 Green Field Court

Green Oaks, Illinois 60068

Citizenship:

New Zealand

Full name of sole or one  
joint inventor:

Doron Levitas  
(Given names first, with Family name last)

Inventor's signature:

*Doron Levitas*

Date:

3-17-1999

Residence:

Chicago, Illinois  
(City and State for U.S. Residents;  
City and Country for others)

Post Office Address:

1817 North Wolcott Avenue

Chicago, Illinois

Citizenship:

United States

Full name of sole or one  
joint inventor:

Stephen L. Axel  
(Given names first, with Family name last)

Inventor's signature:

*Stephen L. Axel*

Date:

3-17-99

Residence:

Deerfield, Illinois 60015  
(City and State for U.S. Residents;  
City and Country for others)

Post Office Address:

319 Lakeview Court

Citizenship:

United States

Full name of sole or one  
joint inventor:

(Given names first, with Family name last)

Inventor's signature:

Date:

Residence:

(City and State for U.S. Residents;  
City and Country for others)

Post Office Address:

Citizenship: